

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

**OPHELIA PARKER and JOSEPH
NASO,**

Plaintiffs,

v.

Case No: 6:16-cv-1193-Orl-41DCI

**UNIVERSAL PICTURES,
LEGENDARY PICTURES FUNDING,
LLC, HANDSTACK, P.B.C., LEGEND
PICTURES, LLC and LEGENDARY
ANALYTICS, LLC,**

Defendants.

ORDER

THIS CAUSE is before the Court on Plaintiffs' Unopposed Motion for Final Approval of Class Action Settlement (Doc. 172) and Plaintiffs' Unopposed Motion for Approval of Attorneys' Fees, Costs, Expenses, and Service Award to Plaintiffs as Class Representatives (Doc. 171). As set forth below, the motions will be granted.

The Settlement Agreement (Doc. 163-1) was preliminarily approved in this Court's April 8, 2019 Order (Doc. 169), and the settlement classes set forth therein were preliminarily certified. The preliminary approval also included approval of Plaintiffs' and their attorneys' requested attorneys' fees, costs, and a service award. (*Id.* at 2). In addition, the Court appointed Plaintiffs' counsel as Class Counsel, appointed JND Legal Administration as the Settlement Administrator, and approved the Class Notice and Claim Form. (*Id.*). All of the elements of the Notice Plan approved by the Court have been satisfied. (*See* Keough Decl., Doc. 172-3, ¶¶ 3–15). Of the

466,847 Settlement Class Members, only nine opted out and none filed objections. (*Id.* ¶¶ 5, 17, 19).

For the reasons set forth in the Report and Recommendation (Doc. 166), which was adopted by this Court, (Doc. 169 at 1), and upon finding that the Notice procedures were fully complied with, this Court grants final approval of the Settlement Agreement, including, but not limited to, the releases therein. The Court finds that the Settlement Agreement is in all respects fair, reasonable, and adequate, and in the best interests of all those affected by it. No objections were filed. Accordingly, this Order binds all Settlement Class Members who did not opt out. The Court also certifies the following Settlement Classes:

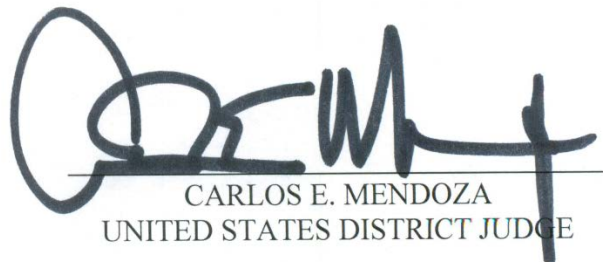
1. ATDS Class: All persons or entities within the United States who received one or more text messages as part of the *Warcraft* Text Messaging Campaign.
2. Internal-Do-Not-Call Class: All persons within the United States who received more than one text message to a residential line as part of the *Warcraft* Text Messaging Campaign, one of which was received after the class member submitted a request to not receive additional texts.
3. National Do-Not-Call Class: All persons within the United States who received more than one text message to a residential line as part of the *Warcraft* Text Messaging Campaign (a) in a 12-month period; and (b) more than 30 days after the placement of their number on the National Do-Not-Call Registry.
4. Out of Time Class: All persons within the United States who received more than one text message to a residential line as part of the *Warcraft* Text Messaging Campaign, at least one of which was before 8 A.M. or after 9 P.M. local time at the texted person's location.

And, the Court confirms the appointment of Plaintiffs as class representatives and attorneys William Gray and Edmund Normand as Class Counsel.

In accordance with the foregoing, it is **ORDERED** and **ADJUDGED** as follows:

1. Plaintiffs' Unopposed Motion for Final Approval of Class Action Settlement (Doc. 172) and Plaintiffs' Unopposed Motion for Approval of Attorneys' Fees, Costs, Expenses, and Service Award to Plaintiffs as Class Representatives (Doc. 171) are **GRANTED**.
2. The Settlement Agreement (Doc. 163-1) is **APPROVED**.
3. This Court retains jurisdiction over this action, including over the administration, implementation, interpretation, and enforcement of the Settlement Agreement.
4. This case is **DISMISSED with prejudice**.
5. The hearing set for July 17, 2019, is **CANCELLED**.
6. The Clerk is directed to close this case.

DONE and ORDERED in Orlando, Florida on July 11, 2019.



CARLOS E. MENDOZA
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record